

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

MARC A. PARKER,)
Plaintiff,)
v.)
CHIGURUPATI RAMANA, MD,)
et al.)
Defendants.)
Case No. CIV-20-873-G

ORDER

Now before the Court are two Motions to Compel (Doc. Nos. 22, 23) filed by Plaintiff Marc A. Parker. *See* Fed. R. Civ. P. 37(a)(3)(A), (B)(iii), (iv). Defendants Chigurupati Ramana, MD, Naadi Healthcare, LLC (“Naadi”), and Pinnacle Interventional and Vascular Care, LLC (“Pinnacle”), have filed Responses. *See* Doc. Nos. 25, 26, 27, 28, 29. The Court has considered the parties’ arguments as presented in their briefing and in open court on January 11, 2021.

As was outlined by the Court at the hearing, Plaintiff's Motions are GRANTED. Specifically:

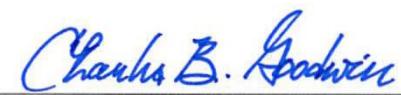
1. Defendants' objection based upon Plaintiff's alleged failure to properly plead a claim of negligent credentialing is overruled. The Court finds that Plaintiff has adequately pled this theory of liability as to Defendants Naadi and Pinnacle. *See* Compl. ¶ 35 (Doc. No. 1); *see also Sanders v. Cole*, 454 P.3d 761, 771 n.7 (Okla. Civ. App. 2019).

2. Based upon the parties' representations, Plaintiff's request for Defendants' required insurance disclosures is denied as moot, and no sanctions shall be entered.
3. To the extent Defendants have not already responded to Plaintiff's cited interrogatories and requests for production, they must, no later than **January 19, 2021**, provide substantive answers and any responsive documents that are within their possession, custody, or control. *See* Pl.'s First Mot. at 3-5 (Def. Ramana RFP Nos. 1, 7; Def. Naadi RFP Nos. 1, 3, 7, 8, 9; Def. Pinnacle RFP Nos. 1, 6, 7, 8, 9); Pl.'s Second Mot. at 3-4 (Def. Naadi Interrog. Nos. 8, 9; Def. Pinnacle Interrog. No. 7).

-and-

4. Pursuant to Federal Rule of Civil Procedure 37(a)(5)(A), the Court finds that it is proper for Defendants to pay Plaintiff his "reasonable expenses incurred in making the [Motions], including attorney's fees." Fed. R. Civ. P. 37(a)(5)(A). The Court further finds that Plaintiff's claimed expenses of \$3500.00 reflect a proper and reasonably prudent request. The Court therefore directs that Defendants, as "the party . . . whose conduct necessitated the [Motions]" shall pay Plaintiff his expenses of \$3500.00 no later than January 19, 2021. *Id.* The three Defendants, and not their counsel, shall be jointly and severally liable for this payment.

IT IS SO ORDERED this 11th day of January, 2021.



CHARLES B. GOODWIN
United States District Judge